SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 18 be amended to read as follows:

1	Page 6, delete lines 12 through 37.
2	Page 15, between lines 16 and 17, begin a new line double block
3	indented and insert:
4	**"(H) The political subdivision's current debt service levy**
5	**and rate and the estimated increase to the political**
6	**subdivision's debt service levy and rate that will result if**
7	**the political subdivision issues the bonds or enters into the**
8	**lease.".**
9	Page 24, between lines 35 and 36, begin a new line double block
10	indented and insert:
11	**"(H) The political subdivision's current debt service levy**
12	**and rate and the estimated increase to the political**
13	**subdivision's debt service levy and rate that will result if**
14	**the political subdivision issues the bonds or enters into the**
15	**lease.**
16	**(4) After notice is given, a petition requesting the application**
17	**of the local public question process under section 3.6 of this**
18	**chapter may be filed by the lesser of:**
19	**(A) one hundred (100) persons who are either owners of**
20	**real property within the political subdivision or registered**
21	**voters residing within the political subdivision; or**
22	**(B) five percent (5%) of the registered voters residing**
23	**within the political subdivision.**
24	**(5) The state board of accounts shall design and, upon request**
25	**by the county voter registration office, deliver to the county**
26	**voter registration office or the county voter registration**
27	**office's designated printer the petition forms to be used solely**
28	**in the petition process described in this section. The county**
29	**voter registration office shall issue to an owner or owners of**
30	**real property within the political subdivision or a registered**
31	**voter residing within the political subdivision the number of**

petition forms requested by the owner or owners or the
registered voter. Each form must be accompanied by
instructions detailing the requirements that:
    (A) the carrier and signers must be owners of real
    property or registered voters;
    (B) the carrier must be a signatory on at least one (1)
    petition;
    (C) after the signatures have been collected, the carrier
    must swear or affirm before a notary public that the
    carrier witnessed each signature; and
    (D) govern the closing date for the petition period.
Persons requesting forms may be required to identify
themselves as owners of real property or registered voters and
may be allowed to pick up additional copies to distribute to
other property owners or registered voters. Each person
signing a petition must indicate whether the person is signing
the petition as a registered voter within the political
subdivision or is signing the petition as the owner of real
property within the political subdivision. A person who signs
a petition as a registered voter must indicate the address at
which the person is registered to vote. A person who signs a
petition as a real property owner must indicate the address of
the real property owned by the person in the political
subdivision.
(6) Each petition must be verified under oath by at least one
(1) qualified petitioner in a manner prescribed by the state
board of accounts before the petition is filed with the county
voter registration office under subdivision (7).
(7) Each petition must be filed with the county voter
registration office not more than thirty (30) days after
publication under subdivision (2) of the notice of the
preliminary determination.
(8) The county voter registration office shall determine
whether each person who signed the petition is a registered
voter. The county voter registration office, not more than
fifteen (15) business days after receiving a petition, shall
forward a copy of the petition to the county auditor. Not more
than ten (10) business days after receiving the copy of the
petition, the county auditor shall provide to the county voter
registration office a statement verifying:
    (A) whether a person who signed the petition as a
    registered voter but is not a registered voter, as
    determined by the county voter registration office, is the
    owner of real property in the political subdivision; and
    (B) whether a person who signed the petition as an owner
    of real property within the political subdivision does in fact
    own real property within the political subdivision.
(9) The county voter registration office, not more than ten

1   **(10) business days after receiving the statement from the**
2   **county auditor under subdivision (8), shall make the final**
3   **determination of the number of petitioners that are registered**
4   **voters in the political subdivision and, based on the statement**
5   **provided by the county auditor, the number of petitioners that**
6   **own real property within the political subdivision. Whenever**
7   **the name of an individual who signs a petition form as a**
8   **registered voter contains a minor variation from the name of**
9   **the registered voter as set forth in the records of the county**
10   **voter registration office, the signature is presumed to be valid,**
11   **and there is a presumption that the individual is entitled to**
12   **sign the petition under this section. Except as otherwise**
13   **provided in this chapter, in determining whether an**
14   **individual is a registered voter, the county voter registration**
15   **office shall apply the requirements and procedures used**
16   **under IC 3 to determine whether a person is a registered**
17   **voter for purposes of voting in an election governed by IC 3.**
18   **However, an individual is not required to comply with the**
19   **provisions concerning providing proof of identification to be**
20   **considered a registered voter for purposes of this chapter. A**
21   **person is entitled to sign a petition only one (1) time in a**
22   **particular referendum process under this chapter, regardless**
23   **of whether the person owns more than one (1) parcel of real**
24   **property within the political subdivision and regardless of**
25   **whether the person is both a registered voter in the political**
26   **subdivision and the owner of real property within the political**
27   **subdivision. Notwithstanding any other provision of this**
28   **section, if a petition is presented to the county voter**
29   **registration office within thirty-five (35) days before an**
30   **election, the county voter registration office may defer acting**
31   **on the petition, and the time requirements under this section**
32   **for action by the county voter registration office do not begin**
33   **to run until five (5) days after the date of the election.**
34   **(10) The county voter registration office must file a certificate**
35   **and each petition with:**
36   **(A) the township trustee, if the political subdivision is a**
37   **township, who shall present the petition or petitions to the**
38   **township board; or**
39   **(B) the body that has the authority to authorize the**
40   **issuance of the bonds or the execution of a lease, if the**
41   **political subdivision is not a township;**
42   **within thirty-five (35) business days of the filing of the petition**
43   **requesting the referendum process. The certificate must state**
44   **the number of petitioners that are owners of real property**
45   **within the political subdivision and the number of petitioners**
46   **who are registered voters residing within the political**
47   **subdivision.**
48   **(11) If a sufficient petition requesting local public question**

1   **process is not filed by owners of real property or registered**
2   **voters as set forth in this section, the political subdivision may**
3   **issue bonds or enter into a lease by following the provisions of**
4   **law relating to the bonds to be issued or lease to be entered**
5   **into.**".
6   Page 25, line 12, delete "A" and insert "**If a sufficient petition**
7   **requesting the application of the local public question process has**
8   **been filed as set forth in section 3.5 of this chapter, a**".
9   Page 27, between lines 6 and 7, begin a new paragraph and insert:
10 "**(j) A political subdivision may not artificially divide a capital**
11 **project into multiple capital projects in order to avoid the**
12 **requirements of this section and section 3.5 of this chapter.**".
13 Page 28, delete lines 14 through 42.
14 Page 29, delete lines 1 through 39.
15 Renumber all SECTIONS consecutively.
    (Reference is to SB 18 as printed January 11, 2008.)

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Senator DILLON